

ASSEMBLY BILL

No. 2385

Introduced by Assembly Member Longville

February 24, 2000

An act to amend Section 77201.1 of the Government Code, relating to courts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2385, as introduced, Longville. Trial court funding.

Existing law sets forth the amounts that each county must remit to the state for the funding of trial court operations.

This bill would reduce the amount that various counties must remit to the state for that purpose commencing in the 2000–01 fiscal year, as specified. The bill would also include a statement of legislative intent.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of
2 the following:

3 (a) There are disparities in local funding for trial
4 courts that may result in the unequal dispensation of
5 justice.

6 (b) Since 1992, the Legislature has acted to increase
7 the state's share of trial court funding.

1 (c) The state has assumed 100 percent of the annual
 2 costs for the trial court operations of the 38 smallest
 3 counties.

4 (d) The remaining 20 counties continue to bear
 5 significant costs for their trial court operations.

6 (e) For these reasons, the state will continue to
 7 increase its share of trial court costs for those remaining
 8 20 counties by reducing those counties' share of costs by
 9 one-third for the 2000–01 fiscal year.

10 SEC. 2. Section 77201.1 of the Government Code is
 11 amended to read:

12 77201.1. (a) Commencing on July 1, 1997, no county
 13 shall be responsible for funding court operations, as
 14 defined in Section 77003 and Rule 810 of the California
 15 Rules of Court as it read on July 1, 1996.

16 (b) Commencing in the ~~1999–2000~~ 2000–01 fiscal year,
 17 and each fiscal year thereafter, each county shall remit to
 18 the state in four equal installments due on October 1,
 19 January 1, April 1, and May 1, the amounts specified in
 20 paragraphs (1) and (2), as follows:

21 (1) Except as otherwise specifically provided in this
 22 section, each county shall remit to the state the amount
 23 listed below which is based on an amount expended by
 24 the respective county for court operations during the
 25 1994–95 fiscal year:

Jurisdiction	Amount
27 Alameda	\$ 22,509,905
28	\$ 15,007,354
29	
30 Alpine	—
31 Amador	—
32 Butte	—
33 Calaveras	—
34 Colusa	—
35 Contra Costa	11,974,535
36	7,983,423
37 Del Norte	—
38 El Dorado	—
39 Fresno	11,222,780
40	7,482,227

1	Glenn	—
2	Humboldt	—
3	Imperial	—
4	Inyo	—
5	Kern	9,234,511
6		<i>6,156,649</i>
7	Kings	—
8	Lake	—
9	Lassen	—
10	Los Angeles	175,330,647
11		<i>116,892,942</i>
12	Madera	—
13	Marin	—
14	Mariposa	—
15	Mendocino	—
16	Merced	—
17	Modoc	—
18	Mono	—
19	Monterey	4,520,911
20		<i>3,014,091</i>
21	Napa	—
22	Nevada	—
23	Orange	38,846,003
24		<i>25,989,630</i>
25	Placer	—
26	Plumas	—
27	Riverside	17,857,241
28		<i>11,905,423</i>
29	Sacramento	20,733,264
30		<i>13,822,867</i>
31	San Benito	—
32	San Bernardino	20,227,102
33		<i>13,485,409</i>
34	San Diego	43,495,932
35		<i>28,998,738</i>
36	San Francisco	19,295,303
37		<i>12,864,178</i>
38	San Joaquin	6,543,068
39		<i>4,362,264</i>



1	San Luis Obispo	—
2	San Mateo	12,181,079
3		8,121,125
4	Santa Barbara	6,764,792
5		4,510,086
6	Santa Clara	28,689,450
7		19,127,257
8	Santa Cruz	—
9	Shasta	—
10	Sierra	—
11	Siskiyou	—
12	Solano	6,242,661
13		4,161,982
14	Sonoma	6,162,466
15		4,108,516
16	Stanislaus	3,506,297
17		2,337,648
18	Sutter	—
19	Tehama	—
20	Trinity	—
21	Tulare	—
22	Tuolumne	—
23	Ventura	9,734,190
24		6,489,785
25	Yolo	—
26	Yuba	—

(2) Except as otherwise specifically provided in this section, each county shall also remit to the state the amount listed below which is based on an amount of fine and forfeiture revenue remitted to the state pursuant to Sections 27361 and 76000 of this code, Sections 1463.001, 1463.07, and 1464 of the Penal Code, and Sections 42007, 42007.1, and 42008 of the Vehicle Code during the 1994–95 fiscal year:

37	Jurisdiction	Amount
38	Alameda	\$ 9,912,156
39	Alpine	58,757
40	Amador	265,707

1	Butte	1,217,052
2	Calaveras	310,331
3	Colusa	397,468
4	Contra Costa	4,168,194
5	Del Norte	553,730
6	El Dorado	1,028,349
7	Fresno	3,695,633
8	Glenn	360,974
9	Humboldt	1,025,583
10	Imperial	1,144,661
11	Inyo	614,920
12	Kern	5,530,972
13	Kings	982,208
14	Lake	375,570
15	Lassen	430,163
16	Los Angeles	71,002,129
17	Madera	1,042,797
18	Marin	2,111,712
19	Mariposa	135,457
20	Mendocino	717,075
21	Merced	1,733,156
22	Modoc	104,729
23	Mono	415,136
24	Monterey	3,330,125
25	Napa	719,168
26	Nevada	1,220,686
27	Orange	19,572,810
28	Placer	1,243,754
29	Plumas	193,772
30	Riverside	7,681,744
31	Sacramento	5,937,204
32	San Benito	302,324
33	San Bernardino	8,511,193
34	San Diego	16,166,735
35	San Francisco	4,046,107
36	San Joaquin	3,562,835
37	San Luis Obispo	2,036,515
38	San Mateo	4,831,497
39	Santa Barbara	3,277,610



1	Santa Clara	11,597,583
2	Santa Cruz	1,902,096
3	Shasta	1,044,700
4	Sierra	42,533
5	Siskiyou	615,581
6	Solano	2,708,758
7	Sonoma	2,316,999
8	Stanislaus	1,855,169
9	Sutter	678,681
10	Tehama	640,303
11	Trinity	137,087
12	Tulare	1,840,422
13	Tuolumne	361,665
14	Ventura	4,575,349
15	Yolo	880,798
16	Yuba	289,325

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18 (3) Except as otherwise specifically provided in this
 19 section, county remittances specified in paragraphs (1)
 20 and (2) shall not be increased in subsequent years.

21 (4) Except for those counties with a population of
 22 70,000, or less, on January 1, 1996, the amount a county is
 23 required to remit pursuant to paragraph (1) shall be
 24 adjusted by the amount equal to any adjustment resulting
 25 from the procedures in subdivisions (c) and (d) of
 26 Section 77201 as that section read on June 30, 1998, to the
 27 extent a county filed an appeal with the Controller with
 28 respect to the findings made by the Department of
 29 Finance. This paragraph shall not be construed to
 30 establish a new appeal process beyond what was provided
 31 by Section 77201, as that section read on June 30, 1998.

32 (5) Any change in statute or rule of court that either
 33 reduces the bail schedule or redirects or reduces a
 34 county's portion of fee, fine, and forfeiture revenue to an
 35 amount that is less than (A) the fees, fines, and forfeitures
 36 retained by that county, and (B) the county's portion of
 37 fines and forfeitures transmitted to the state in the
 38 1994–95 fiscal year, shall reduce that county's remittance
 39 specified in paragraph (2) of this subdivision by an equal

1 amount. Nothing in this paragraph is intended to limit
2 judicial sentencing discretion.

3 (c) Nothing in this section is intended to relieve a
4 county of the responsibility to provide necessary and
5 suitable court facilities pursuant to Section 68073.

6 (d) Nothing in this section is intended to relieve a
7 county of the responsibility for justice-related expenses
8 not included in Section 77003 which are otherwise
9 required of the county by law, including, but not limited
10 to, indigent defense representation and investigation,
11 and payment of youth authority charges.

12 (e) County base year remittance requirements
13 specified in paragraph (2) of subdivision (b) incorporate
14 specific reductions to reflect those instances where the
15 Department of Finance has determined that a county's
16 remittance to both the General Fund and the Trial Court
17 Trust Fund during the 1994-95 fiscal year exceeded the
18 aggregate amount of state funding from the General
19 Fund and the Trial Court Trust Fund. The amount of the
20 reduction was determined by calculating the difference
21 between the amount the county remitted to the General
22 Fund and the Trial Court Trust Fund and the aggregate
23 amount of state support from the General Fund and the
24 Trial Court Trust Fund allocated to the county's trial
25 courts. In making its determination of whether a county
26 is entitled to a reduction pursuant to that paragraph, the
27 Department of Finance subtracted from county revenues
28 remitted to the state, all moneys derived from the fee
29 required by Section 42007.1 of the Vehicle Code and the
30 parking surcharge required by subdivision (c) of Section
31 76000.

32 (f) Notwithstanding subdivision (e), the Department
33 of Finance shall not reduce a county's base-year
34 remittance requirement, as specified in paragraph (2) of
35 subdivision (b), if the county's trial court funding
36 allocation was modified pursuant to the amendments to
37 the allocation formula set forth in paragraph (4) of
38 subdivision (d) of Section 77200, as amended by Chapter
39 2 of the Statutes of 1993, to provide a stable level of

1 funding for small county courts in response to reductions
2 in the General Fund support for the trial courts.

3 (g) In any fiscal year in which a county of the first class
4 pays the employer-paid retirement contribution for court
5 employees, or any other employees of the county who
6 provide a service to the court, and the amounts of those
7 payments are charged to the budget of the courts, the
8 sum the county is required to pay to the state pursuant to
9 paragraph (1) of subdivision (b) shall be increased by the
10 actual amount charged to the trial court up to
11 twenty-three million five hundred twenty-seven
12 thousand nine hundred forty-nine dollars (\$23,527,949) in
13 that fiscal year. The county and the trial court shall report
14 to the Controller and the Department of Finance the
15 actual amount charged in that fiscal year.

16 ~~(h) This section shall become operative on July 1, 1999.~~

